

Message Text

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ACTION DLOS-09

INFO OCT-01 EA-07 ISO-00 NEA-10 SS-15 /042 W
-----280748Z 005141 /17

P 280239Z MAR 77
FM AMEMBASSY KUALA LUMPUR
TO SECSTATE WASHDC PRIORITY 6646

C O N F I D E N T I A L SECTION 1 OF 2 KUALA LUMPUR 1889

FROM OXMAN FOR D/LOS

E.O. 11652: GDS
TAGS: PLOS
SUBJ: LOS: TALKING POINTS FOR UNDER SECRETARY HABIB IN TUNIS,
RABAT AND ALGIERS

REF: STATE 66244

1. GENERAL: IN ALL THESE CAPITALS, I WOULD LIMIT
CONVERSATIONS TO COMMITTEE I, STRAITS, STATUS OF ECONOMIC
ZONE, AND POSSIBLE DISPUTE SETTLEMENT. THE ARABS TEND
TO HEAR "ESPIONAGE" OR "ISRAEL" EVERY TIME SCIENCE IS
MENTIONED, AND THUS I WOULD AVOID ISSUE.

2. COMMITTEE I: IF ARABS CAN BE MODERATED IN
COMMITTEE I, CHANCES OF BREAKTHROUGH IN LOS CONFERENCE
CAN INCREASE SUBSTANTIALLY. WHILE ALGERIA HAS BEEN
MAIN PROBLEM, THE OTHER TWO HAVE NOT BEEN HELPFUL.
IT WOULD SEEM MOST USEFUL TO TRY TO DEVELOP POLITICAL
SUPPORT IN ALL THREE CAPITALS FOR MUTUAL COOPERATION
ON FOLLOWING POINTS:

A. PARALLEL SYSTEM (WITH BANKING).

B. TREATY THAT SPECIFIES CLEAR AND OBJECTIVE
CRITERIA FOR CONCLUDING A CONTRACT.
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C. IN ORDER TO MAKE SYSTEM TRULY PARALLEL,
SYSTEM FOR FINANCING START-UP OPERATIONS OF
ENTERPRISE WILL BE INCLUDED.

3. ALGERIA: COMMENTS, OF COURSE, SHOULD INCLUDE
REFERENCE TO POSSIBLE VISIT BY AMB. RICHARDSON.

ALGERIANS SHOULD BE REMINDED OF THEIR OVERRIDING INTEREST IN TRANSIT PASSAGE OF STRAITS (LNG'S), PARTICULARLY IN LIGHT SPANISH STATEMENT THAT HAZARDOUS CARGOES ARE NOT INNOCENT. THEY CANNOT ACHIEVE THIS OBJECTIVE IF THEY CONTINUE TO HOLD UP TREATY IN COMMITTEE I. IT IS UNCLEAR WHETHER ALGIERS REALIZES THE DEGREE OF RESENTMENT BEING DEVELOPED IN THE 77 OVER QL-QUEN'S CONSISTENT CHARGES OF BETRAYAL AT EVERY MOVE FOR ACCOMMODATION. POLITICAL DECISIONS BASED ON ALGERIAN NATIONAL INTERESTS ARE REQUIRED. MOREOVER, GIVEN ALGERIAN GEOGRAPHIC LOCATION, THEY SHOULD BE RESPONSIVE TO ARGUMENTS ON STATUS OF ECONOMIC ZONE (AS SHOULD TUNISIA). IT IS NOT CLEAR WHY ARABS, MOST OF WHOM SHARE US INTEREST IN THIS REGARD, SHOULD LET CERTAIN EXTREMIST LATIN TERRITORIALISTS DICTATE 77 POSITION ON ISSUE.

4. TUNISIA: TUNISIANS FEEL NEGLECTED BY US ON LOS. THEY WILL SEEK SOME POLITICAL SUPPORT FROM US ON CONTINENTAL SHELF DELIMITATION PROBLEMS WITH ITALY AND LIBYA, WHICH IT WILL BE MOST DIFFICULT TO GIVE; THEY MIGHT BE REMINDED THAT LOS TREATY WILL NOT RESOLVE BILATERAL DELIMITATION PROBLEMS ANYWAY. USG HAS, HOWEVER, ASSISTED TUNISIA ON CERTAIN TECHNICAL MATTERS INVOLVED IN DISPUTE WITH LIBYA. TUNISIANS HAD BETTER WAKE UP TO IMPORTANCE OF STRAITS ISSUE TO THEIR NATIONAL INTERESTS. THEIR ATTITUDE ON STATUS OF ECONOMIC ZONE SHOULD ALSO BE MORE FAVORABLE THAN IT IS, CONFIDENTIAL

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ALTHOUGH TOWARD THE END OF THE LAST LOS SESSION, THERE WERE SIGNS OF A SHIFT TOWARD THE US ON THIS ISSUE. THIS SHOULD BE ENCOURAGED. IN CASE OF BOTH ALGERIA AND TUNISIA, VERY GOOD CASE CAN BE MADE THAT THEIR OWN NATIONAL INTERESTS DICTATE FOLLOWING INSTRUCTIONS:

1) GET A REASONABLE TREATY AS FAST AS POSSIBLE (E.G., SETTLE COMMITTEE I).

2) GET TRANSIT PASSAGE OF STRAITS AND HIGH SEAS STATUS FOR ECONOMIC ZONE.

3) SUPPORT COMPULSORY DISPUTE SETTLEMENT.

4) AVOID ANYTHING TOO PRECISE ON DELIMITATION (THIS WILL HAPPEN ANYWAY).

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C O N F I D E N T I A L SECTION 2 OF 2 KUALA LUMPUR 1889

FROM OXMAN FOR D/LOS

5. MOROCCO: MOROCCO RECOGNIZES THAT IF SPANISH ENCLAVES ARE ELIMINATED OR DENIED A TERRITORIAL SEA, SHE HAS NO STRAITS TRANSIT PROBLEM. ON THE OTHER HAND, SHE HAS LONG HINTED AT A TRADE OF US SUPPORT FOR HER POSITION ON CEUTA AND MELILLA FOR SUPPORT ON TRANSIT PASSAGE OF STRAITS, THIS PRESENTS US WITH OBVIOUS PROBLEMS. MOROCCO IS PARTICULARLY IRKED BY EXISTENCE OF AIR TRAFFIC CONTROL IN SPANISH ENCLAVES AND FISHING BOAT SEIZURES BY SPANISH IN ENCLAVE WATERS. AS TO CEUTA AND MELILLA, PERHAPS BEST TACTIC IS TO REVERSE THE ARGUMENT: SHOULD MOROCCO OPPOSE TRANSIT PASSAGE OF STRAITS, IT WOULD NATURALLY COMPLICATE OUR SITUATION. (WHILE OTHER ARABS TELL US MOROCCO OPPOSES TRANSIT PASSAGE, HER SILENCE AT CONFERENCE MAY INDICATE THAT SHE SHARES OUR ABOVE ANALYSIS). MOROCCO IS ALSO VIOLENTLY OPPOSED TO STRICT PRINCIPLE OF EQUIDISTANCE ON DEIMITATION. US SHARES THIS ATTITUDE BECAUSE OF GEORGES BANK, AND WE CAN SYMPATHIZE WITH MOROCCAN POSITION IN PRIVATE. WE SHOULD RESIST, HOWEVER, ANY ATTEMPT TO LIMIT RIGHTS OF ISLANDS BEYOND CURRENT RSNT. IT IS DOUBTFUL MOROCCO WOULD SUPPORT US ON STATUS OF ECONOMIC ZONE FOR PRECISE REASON THAT SHE (BUT
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ODDLY NOT ALGERIA) PERCEIVES THAT THIS WOULD BE

MORE ADVVANTAGEOUS TO ALGERIA.

6. THE UNDER SECRETARY SHOULD BE AWARE THAT MOROCCANS MAY FEEL THAT IF US WERE REALLY SERIOUS ON STRAITS, WE WOULD NOT PERMIT SPAIN TO GET AWAY WITH ITS OPPOSITION. A FAIR (ALTHOUGH PERHAPS OPTIMISTIC) INTERPRETATION OF RECENT SPANISH MODERATION IS THAT SHE IS BACKING GRACEFULLY IN TO ACCEPTANCE OF TRANSIT PASSAGE. IT MAY BE USEFUL TO LEAVE MOROCCANS WITH THIS IMPRESSION, SO AS TO DECREASE THEIR RESPONSIVENESS TO ANY FURTHER SPANISH BLANDISMENTS.

7. STRAITS OF TIRAN ISSUE: THE UNDER SECRETARY MAY BE TOLD IN THESE CAPITALS THAT WE SHOULD NOT DEAL WITH STRAITS LIKE TIRAN IN THE LOS TREATY. HE SHOULD BE AWARE THAT IF A 12-MILE TERRITORIAL SEA IS ESTABLISHED AND NOTHING MORE IS SAID, THE RESULT IS SUSPENDABLE INNOCENT PASSAGE IN STRAITS LIKE TIRAN. IN OTHER WORDS, SILENCE WOULD BE COMPLETELY UNACCEPTABLE TO ISRAEL AND COULD LEAD TO MASSIVE LOBBYING AGAINST TREATY IN US. PROBABLY THE BEST POSTURE TO TAKE IF ISSUE IS RAISED IS THAT THE LOS CONFERENCE IS NOT THE PLACE TO TRY TO RESOLVE THE ISSUE, THAT THE RSNT PRESERVES THE STATUS QUO (NON-SUSPENDABLE INNOCENT PASSAGE IS ALSO THE RULE IN THE 1958 TERRITORIAL SEA CONVENTION), AND THAT IT IS BEST TO LEAVE WELL ENOUGH ALONE.

8. GENERAL: THE COMMITMENT OF THE THREE STATES TO PROGRESS IN MULTILATERAL SOLUTIONS TO COMMUNIST PROBLEMS IS UNCLEAR TO ME. IT IS REASONABLY CLEAR THAT IF THE LOS CONFERENCE DOES NOT SUCCEED SHORTLY, THE ENTIRE PROCESS OF GLOBAL MULTILATERAL NEGOTIATION MAY BE AFFECTED ADVERSELY.
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SINCE THE DEEP SEABED ISSUE IS NOT RPT NOT ECONOMICALLY IMPORTANT TO THESE THREE STATES, IT WOULD COST THEM VERY LITTLE TO PROMOTE SUCCESS IN ORDER TO BUILD CONFIDENCE IN BROADER NIEO DISCUSSIONS. ANY CONCEIVABLE RESULT ACCEPTABLE TO BOTH SIDES CAN NEVERTHELESS BE BILLED AS AN NIEO VICTORY, WITH PROOF THAT IT IS POSSIBLE TO NEGOTIATE CONSTRUCTIVE AND PROGRESSIVE RESULTS. THE UNDERLYING QUESTION IS WHETHER THESE STATES REALLY VIEW NIEO AS A NEW FRAMEWORK FOR COOPERATION, OR, CONVERSELY, ONLY AS A CONVENIENT SLOGAN FOR PERMANENT CONFRONTATION.
UNDERHILL

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